

ORDINANCE NO. 2019-010

AN ORDINANCE AMENDING SECTIONS 1161.11.3, 1161.11.6, 1161.15, AND 1113.20(C) AND ADDING NEW SECTIONS 1161.15.1 AND 1161.15.2 TO CURRENT SECTION 1161.15 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO, KNOWN AS THE ZONING CODE.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Findlay, State of Ohio a majority of members elected thereto concurring:

SECTION 1: That Section 1161.11.3 of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

1161.11.3 PARKING, M-1 AND M-2 MULTI-FAMILY

- A. **OFF-STREET PARKING SPACES.**
A minimum of two and one-half (2 ½) off-street parking spaces are required per dwelling unit.
- B. **SETBACKS.**
 - 1. Parking lots may project into the minimum setbacks, but shall not project into or interfere with any screening requirements except as permitted in 1161.06. Landscaping Standards. A parking lot shall not be installed within five (5) feet of a side lot line or within ten (10) feet of a front or rear lot line.
- C. **VISITOR PARKING SPACES.**
Requirement
At least one (1) off-street space per two (2) units is required for visitor parking and shall be spread evenly throughout the development.
- D. **EXCLUSION.**
Visitor parking spaces cannot include spaces in car ports, garages, or spaces that may block a carport or garage.
- E. **CROSS DISTRICT STANDARDS – MULTI-FAMILY USE INCLUDED.**
All multi-family uses located in other zoning districts shall adhere to this Chapter.

Be and the same hereby is amended to read as follows:

1161.11.3 PARKING, M-1 AND M-2 MULTI-FAMILY

- A. **OFF-STREET PARKING SPACES.**
A minimum of two (2) off-street parking spaces are required per dwelling unit.
- B. **SETBACKS.**
 - A. Parking lots may project into the minimum setbacks, but shall not project into or interfere with any screening requirements except as permitted in 1161.06. Landscaping Standards. A parking lot shall not be installed within five (5) feet of a side lot line or within ten (10) feet of a front or rear lot line.
- C. **VISITOR PARKING SPACES.**
Requirement
At least one (1) off-street space per five (5) units is required for visitor parking and shall be spread evenly throughout the development.
- D. **EXCLUSION.**
Visitor parking spaces cannot include spaces in carports, garages, or spaces that may block a carport or garage.
- E. **CROSS DISTRICT STANDARDS – MULTI-FAMILY USE INCLUDED.**
All multi-family uses located in other zoning districts shall adhere to this Chapter.

SECTION 2: That Section 1161.11.6 of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

1161.11.6 GENERAL PARKING REQUIREMENTS TABLE

Zoning District	Minimum Requirement
SINGLE FAMILY DISTRICTS – R-1, R-2, R-3	2 SPACES PER UNIT
MULTI-FAMILY DISTRICTS – R-4, M-1, M-2	2.5 SPACES PER UNIT
O-1 INSTITUTIONS AND OFFICES DISTRICT	1 SPACE PER 300 SQ. FT
C-1 LOCAL COMMERCIAL	1 SPACE PER 325 SQ. FT
C-2 GENERAL COMMERCIAL	1 SPACE PER 375 SQ. FT
C-3 DOWNTOWN COMMERCIAL	NO REQUIREMENT
I-1, I-2 INDUSTRIAL DISTRICTS	1.1 SPACES PER EMPLOYEE ON LARGEST SHIFT

Be and the same hereby is amended to read as follows:

1161.11.6 GENERAL PARKING REQUIREMENTS TABLE

Zoning District	Minimum Requirement
SINGLE FAMILY DISTRICTS – R-1, R-2, R-3	2 SPACES PER UNIT
MULTI-FAMILY DISTRICTS – R-4, M-1, M-2	2 SPACES PER UNIT
O-1 INSTITUTIONS AND OFFICES DISTRICT	1 SPACE PER 300 SQ. FT
C-1 LOCAL COMMERCIAL	1 SPACE PER 325 SQ. FT
C-2 GENERAL COMMERCIAL	1 SPACE PER 375 SQ. FT
C-3 DOWNTOWN COMMERCIAL	NO REQUIREMENT
I-1, I-2 INDUSTRIAL DISTRICTS	1.1 SPACES PER EMPLOYEE ON LARGEST SHIFT

SECTION 3: That Section 1161.15 of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

1161.15 CONDITIONAL USE REQUIREMENTS.

In addition to other requirements found in this Ordinance, some special conditions may be imposed. Conditional Uses, not specified herein, shall be regulated at the City Planning Commission's discretion. Uses may be permitted or denied depending upon how well they can address the following conditions:

Be and the same hereby is amended to read as follows:

1161.15 CONDITIONAL USE REQUIREMENTS

In addition to other requirements found in this Ordinance, some special conditions may be imposed. Conditional Uses, not specified herein, shall be regulated at the City Planning Commission's discretion. Conditional uses may be appropriate at some, but not all locations within a zoning district and are subject to the discretion of the City Planning Commission:

SECTION 4: That new Section 1161.15.1 and new Section 1162.15.2 be added to the Codified Ordinances of the City of Findlay, Ohio to read as follows:

1161.15.1 GENERAL STANDARDS

The Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use of the proposed location:

- (1) Will be harmonious with and in accordance with the general objectives or with any specific objective of the Findlay Zoning Code of current adoption;
- (2) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
- (3) Will not be hazardous or disturbing to existing or future neighboring uses;
- (4) Will not be detrimental to property in the immediate vicinity or to the community as a whole;
- (5) Will be served adequately by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, and school; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.

1161.15.2 REGULATIONS PERTAINING TO CONDITIONAL USES

Uses may be permitted or denied depending upon how well they can address the following conditions:

A. COMMUNITY NON-COMMERCIAL RECREATIONAL & COMMUNITY RECREATIONAL FACILITY

Buildings located within 100 feet of a residential district or use shall incorporate a minimum of level 1 screening. This distance shall be measured from the building to the residential property line. A higher level of screening may be prescribed by the City Planning Commission depending on the intensity of use.

B. BARS, NIGHT CLUBS, TAVERNS

1. Not to exceed 2,500 gross square feet
Outdoor patios and smoking areas
Not permitted on elevations facing residentially zoned districts, except when a 75' setback can be maintained between the district boundary and the outdoor patio edge.

Screening

- a. Additional screening and/or distance may be imposed to consider requests from establishments not able to meet proper setback or frontage requirements.
- b. Level 3 Screening when adjacent to residential zoned districts.

SECTION 5: That Section 1113.20(C) of the Codified Ordinances of the City of Findlay, Ohio which currently reads as follows:

1113.20 PLANNING COMMISSION ACTION.

In making their recommendation or decisions, the Planning Commission may take any of the following actions including: approval of the application; approval with modifications or conditions; denial of the application; or; tabling/deferring the application to another date. In the course of review and decision making, the Planning Commission:

- A. **MAY APPLY CONDITIONS TO THE APPLICATION.**
May apply conditions on the application if the effect is to:
 - 1. Allow a less intensive use or zoning district than indicated in the application,
 - 2. Reduce the impact of the development;
 - 3. Reduce the amount of land area included in the application;
 - 4. Provide for the public's safety and general welfare.
- B. **CANNOT EXPAND THE REQUEST.**
May not approve a greater density of development, a more intensive use or a more intensive zoning district than was indicated in any notice.
- C. **HAS DISCRETION.**
 - 1. Is not required to approve the maximum density or intensity of use allowed.
 - 2. The Planning Commission reserves the right to determine if a use not specified in this ordinance is appropriate in the zoning district of the subject site.
 - 3. The Planning Commission may add, subtract, or substitute any condition of a conditional use.

Be and the same hereby is amended to read as follows:

1113.20 PLANNING COMMISSION ACTION.

In making their recommendation or decisions, the Planning Commission may take any of the following actions including: approval of the application; approval with modifications or conditions; denial of the application; or; tabling/deferring the application to another date. In the course of review and decision making, the Planning Commission:

- A. **MAY APPLY CONDITIONS TO THE APPLICATION**
May apply conditions on the application if the effect is to: Allow a less intensive use or zoning district than indicated in the application, Reduce the impact of the development or; Reduce the amount of land area included in the application; Provide for the public's safety and general welfare.
- B. **CANNOT EXPAND THE REQUEST**
May not approve a greater density of development, a more intensive use or a more intensive zoning district than was indicated in any notice.
- C. **HAS DISCRETION**
 - 1. Is not required to approve the maximum density or intensity of use allowed.
 - 2. The Planning Commission reserves the right to determine if a use not specified in this ordinance is appropriate in the zoning district of the subject site.
 - 3. The Planning Commission may add, subtract, or substitute any condition of a conditional use.
 - 4. The Planning Commission shall have the power to safeguard the intent and objectives of this Zoning Ordinance by imposing appropriate restrictions and safeguards as conditions of any approval it gives.

SECTION 6: That this Ordinance shall be in full force and effect at the earliest period provided by law.

R. Ronald Monka
PRESIDENT OF COUNCIL

Christina M. Murray
MAYOR

PASSED March 5, 2019

ATTEST Debbie DeVore
CLERK OF COUNCIL

APPROVED March 5, 2019